

AMENDED IN ASSEMBLY APRIL 22, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1130

Introduced by Assembly Member Solorio
(Principal coauthor: Senator Romero)
(Coauthor: Assembly Member Mendoza)

February 27, 2009

An act to ~~amend Section 52052.5 of~~ *add Section 52052.6 to the* Education Code, relating to education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1130, as amended, Solorio. Academic performance.

Existing law requires the Superintendent of Public Instruction to establish an advisory committee to make recommendations by July 1, 2005, on a methodology for generating a measurement of academic performance by utilizing unique pupil identifiers for pupils and annual academic achievement growth to provide a more accurate measure of a school's growth over time. Existing law also requires, if appropriate and feasible, the Superintendent, with the approval of the state board, to implement this measurement of academic performance.

This bill would state findings and declarations regarding standards-based education reform, assessments, and accountability and the use of cohort growth measures in accountability systems and intervention determinations.

~~This bill would remove provisions limiting the responsibility of the board to make recommendations regarding measurement of academic performance to completion on or before July 1, 2005. The bill would require the committee's recommendations to be on a methodology for generating a measurement of academic performance by using annual~~

~~academic achievement growth by cohort. The bill would require the advisory committee to make these recommendations to the Superintendent and to the state board.~~

This bill would state the intent of the Legislature that the committee take into consideration specified recommendations and consider measures already in use by other states. The bill would also ~~require the~~ *provide that if the committee considers any measure of academic performance approved by the board, if appropriate and feasible, to annual academic achievement growth, the measure of annual academic achievement growth by cohort approved in connection with requirements described above or adopted through a state plan, as specified, shall meet specified certain requirements.*

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature hereby finds and declares all of
- 2 the following:
- 3 (a) California began the 21st-Century century among a small
- 4 group of states that lead the nation in standards-based education
- 5 reform, assessments, and accountability. However, other states
- 6 have now surpassed California, particularly with the use of cohort
- 7 growth measures in accountability systems and intervention
- 8 determinations.
- 9 (b) California's current public school accountability system is
- 10 based on a static model that compares snapshots of individual
- 11 school and school district academic performance by grade level.
- 12 Therefore, determinations of whether or not schools have met
- 13 growth targets are calculated by comparing the difference in
- 14 achievement from one year to the next of different cohorts of
- 15 pupils.
- 16 (c) This accountability system fails to adjust for the fact that
- 17 beginning levels of achievement vary each school year among
- 18 cohorts. As a result, schools and school districts, particularly with
- 19 middle grades and at the secondary level, are often unfairly held
- 20 accountable for the low performance of the school the pupils
- 21 previously attended.
- 22 (d) The limitations of a static model make it difficult for
- 23 California's accountability system to provide meaningful, reliable,

1 and valid longitudinal information to parents, educators, and policy
2 makers on whether or not local schools and school districts are
3 improving at a rate that will achieve success for all of California's
4 pupils within a reasonable period of time.

5 (e) A cohort growth measure incorporated into California's
6 public school accountability system will enable the state to more
7 fairly evaluate the academic achievement of California public
8 schools and school districts, and to hold them accountable for
9 results.

10 (f) At the school and school district level, measuring each
11 cohort's academic growth over time will provide better information
12 to assist educators in identifying pupils who need additional
13 assistance and identify where resources can best be targeted to
14 close achievement gaps.

15 (g) Parents, educators, and community leaders will be best
16 served by a public school accountability system that includes a
17 cohort growth measure that provides consistent, reliable, and valid
18 information as they collaborate to meet the needs of all pupils,
19 each year.

20 ~~SEC. 2. Section 52052.5 of the Education Code is amended to~~
21 ~~read:~~

22 ~~52052.5. (a) The Superintendent shall establish a broadly~~
23 ~~representative and diverse advisory committee to advise the~~
24 ~~Superintendent and the state board on all appropriate matters~~
25 ~~relative to the creation of the Academic Performance Index and~~
26 ~~the implementation of the Immediate Intervention/Underperforming~~
27 ~~Schools Program and the High Achieving/Improving Schools~~
28 ~~Program. Members of the advisory committee shall serve without~~
29 ~~compensation for terms not to exceed two years. The department~~
30 ~~shall provide staff to the advisory panel.~~

31 ~~(b) The advisory committee established pursuant to this section~~
32 ~~shall make recommendations to the Superintendent and the state~~
33 ~~board on the appropriateness and feasibility of a methodology for~~
34 ~~generating a measurement of academic performance by utilizing~~
35 ~~unique pupil identifiers for pupils in kindergarten and any of grades~~
36 ~~1 to 12, inclusive, and annual academic achievement growth by~~
37 ~~cohort to provide a more accurate measure of a school's and~~
38 ~~district's growth over time.~~

39 ~~(e)~~

1 SEC. 2. *Section 52052.6 is added to the Education Code, to*
2 *read:*

3 52052.6. (a) It is the intent of the Legislature that, in
4 conducting its responsibilities pursuant to subdivision (b) of *Section*
5 52052.5, the committee take into consideration the
6 recommendations of the California pilot study conducted pursuant
7 to Provision 10 of Item 6110-113-0890 of the Budget Act of 2007,
8 the statutory and regulatory requirements and related guidance
9 pursuant to the federal Elementary and Secondary Education Act
10 of 1965 (20 U.S.C. Sec. 6301 et seq.), and waivers for cohort
11 growth measures approved for other states by the United States
12 Secretary of Education.

13 ~~(d)~~

14 (b) It is the intent of the Legislature that the ~~committee~~ *advisory*
15 ~~committee established pursuant to Section 52052.5~~ also consider
16 measures already in use by other states to facilitate the
17 identification of various performance levels of cohort growth,
18 including, but not limited to, whether each student, subgroup,
19 school, and school district made at least one year's academic
20 growth in one year's time and whether the amount of academic
21 growth is adequate to reach a performance level of proficient within
22 a timeframe specified in the state's approved accountability plan
23 required pursuant to the federal Elementary and Secondary
24 Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.), and to provide
25 the ability to determine the following with reasonable statistical
26 confidence:

27 (1) High achievement with a growth rate indicating ability to
28 remain at proficiency or to move into the highest range of
29 achievement.

30 (2) High achievement with a growth rate indicating ability to
31 remain at least at proficiency.

32 (3) Low achievement with a growth rate indicating ability to
33 reach proficiency within a specified timeframe.

34 (4) Low achievement with a growth rate indicating significant
35 inability to reach proficiency within a specified timeframe.

36 ~~(e) If appropriate and feasible, the Superintendent, with the~~
37 ~~approval of the state board, shall implement the measurement of~~
38 ~~academic performance recommended by the advisory committee.~~

1 ~~(f) The measure of academic performance approved by the state~~
2 ~~board pursuant to subdivision (e) or adopted through a state plan~~
3 ~~approved by the state board acting as the State Educational Agency~~

4 *(c) If the advisory committee established pursuant to Section*
5 *52052.5 considers a measure of annual academic achievement*
6 *growth pursuant to Section 52052.5, any measure of annual*
7 *academic achievement growth by cohort approved in connection*
8 *with requirements of Section 52052.5 or adopted through a state*
9 *plan approved by the State Educational Agency pursuant to any*
10 *provision, or waiver of, the federal Elementary and Secondary*
11 *Education Act of 1965 (20 U.S.C. Sec. 6301 et seq.), or any other*
12 *plan submitted by the state board or the state as a requirement of*
13 *receiving or allocating federal funds shall:*

14 (1) Utilize a growth model in the public domain that is not
15 proprietary.

16 (2) Be able to be replicated by an independent statistician.

17 (3) Be *able to be* fully and accurately explained, including the
18 generation of all results, the specification of the standard error,
19 and the stringency of the confidence interval used to determine
20 whether the annual change in test scores is statistically significant,
21 in a document available to the public.